

1 **PINNOCK & WAKEFIELD**

2 A Professional Corporation
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5 Attorneys for Plaintiff

8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 **NONI GOTTI;**

11 Plaintiff,

12 v.

13 **PLAZA SQUARE, LTD.; HONEYBEE**
FOODS CORP; DBA JOLLIBEE; WING
BIZ INC DBA WINGS N THINGS; CHRIS
CHRIS ENTERPRISES INC DBA LITTLE
CAESARS; SANG K. LEE DBA BASKIN-
ROBBINS ICE CREAM; SATHAPHONE
KHAMPHAU & QUAN LIOU KHAMPHAU AKA
MICHAEL WONG & SENG DEVANE DBA
PLAZA COIN LAUNDRY; EMILIA T.
HERNANDEZ DMD; KEDDINGTON & KALRA
OPTEOMERISTS APC DBA EYE CARE
OPTOMETRY ASSOCIATE; ANNABELLE
MATTOX DBA ANABEL HAIR AFFAIR; H
& R BLOCK INC; LOAN NGUYEN DBA
CHARLENES NAILS; KIM PHAT JEWELRY
AND REPAIR CORP.; GIFTS AND
FAVORS; HOLLYWOOD MUSIC; MOMMY
AND ME; DR BRADFORD EMERY; And
DOES 1 THROUGH 10, Inclusive

14 **Case No.: 08cv1029 WQH (POR)**

15 **JOINT MOTION FOR DISMISSAL AND**
DISMISSAL WITH PREJUDICE OF ALL
DEFENDANTS AND PLAINTIFF'S
COMPLAINT IN ITS ENTIRETY

16 [Fed.R.Civ.P. Rule 41(a) (2)]

17 Defendants.

1
2 **IT IS HEREBY JOINTLY MOVED** by Plaintiff, on the one hand,
3 and appearing Defendants via their respective attorneys of record
4 that, pursuant to Federal Rules of Civil Procedure, Rule 41
5 (a) (1) and (2), this Court enter a dismissal **with** prejudice of
6 all Defendants from Plaintiff's Complaint, Case Number: 08cv1029
7 WQH (POR). Additionally, Plaintiff requests Plaintiff's Complaint
8 be dismissed **with** prejudice in its entirety.

9 The dismissal shall apply to all defendants, including
10 without limitation H&R Block Enterprises, Inc., incorrectly sued
11 as H&R Block, Inc., which Plaintiff acknowledges is the entity
12 appearing in this case, and to any and all other defendants named
13 in this action regardless of whether they have appeared in this
14 case.

15
16 **IT IS SO JOINTLY MOVED.**

17
18 Dated: July 11, 2008

PINNOCK & WAKEFIELD, A.P.C.

20
21 By: s/ Theodore A. Pinnock, Esq.
22 Attorney for Plaintiffs
23 E-mail: pinnock99@aol.com

24 Dated: July 11, 2008

SOLOMON WARD SEIDENWURM & SMITH LLP

25
26 By: s/Daniel E. Gardenswartz
27 Daniel E. Gardenswartz, Esq.
28 Attorney for the appearing
 Defendants
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 dgardenswartz@swsslaw.com

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11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 **NONI GOTTI;**

13 Plaintiff,

14 v.

15 **Case No.: 08cv1029 WQH (POR)**

16 **PROOF OF SERVICE VIA ECF**

17 **PLAZA SQUARE, LTD.; HONEYBEE**
18 **FOODS CORP; DBA JOLLIBEE; WING**
19 **BIZ INC DBA WINGS N THINGS; CHRIS**
20 **CHRIS ENTERPRISES INC DBA LITTLE**
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32 **AND REPAIR CORP.; GIFTS AND**
33 **FAVORS; HOLLYWOOD MUSIC; MOMMY**
34 **AND ME; DR BRADFORD EMERY; And**
35 **DOES 1 THROUGH 10, Inclusive**

36 Defendants.

1
2 On this date, I served the following document(s) described
3 as **JOINT MOTION FOR DISMISSAL AND DISMISSAL WITH PREJUDICE OF ALL**
4 **DEFENDANTS AND PLAINTIFF'S COMPLAINT IN ITS ENTIRETY** on all
5 Defendants in this action BY:

6 placing the original a true copy
7 thereof as stated below:

8 **Daniel E. Gardenswartz, Esq.**
9 **SOLOMON WARD SEIDENWURM & SMITH LLP**
Wells Fargo Plaza
10 401 B Street, Suite 1200
San Diego, CA 92101
11 E-Mail: dgardenswartz@swsslaw.com
12 Attorney for DEFENDANTS

13 **BY ELECTRONIC MAIL:** I am readily familiar with the
14 firm's practice of collection and processing correspondence for
15 electronic mailing. Under that practice, it would be
16 electronically mailed to the electronic mail box address that is
17 registered with the district court.

18
19 **FEDERAL:** I declare that I am employed in the office of
20 a member of the Bar of this Court, at whose direction this
21 service was made.

22
23 **EXECUTED** on July 11, 2008, at San Diego, California.
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26 
27 Jennifer A. Watson
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